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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,311	10/30/2003	James C. Fye	H0005246 (002.2154)	3928
89955	7590	06/02/2011	EXAMINER	
HONEYWELL/IFL			SMITH, CHENEA	
Patent Services				
101 Columbia Road			ART UNIT	
P.O.Box 2245			PAPER NUMBER	
Morristown, NJ 07962-2245			2421	
			NOTIFICATION DATE	
			DELIVERY MODE	
			06/02/2011	
			ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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docketing@ifllaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* JAMES C. FYE

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Appeal 2011-009229  
Application 10/699,311  
Technology Center 2400

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Before STEVEN J. BARTLETT, *Division 2 Support Manager*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on May 31, 2011. A Docketing Notice was mailed on June 2, 2011. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

**REPLY BRIEF NOT CONSIDERED**

A Reply Brief was filed in this application on November 30, 2011. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Reply Brief filed November 30, 2011 as indicated above;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

SJB/bar